

CHAPTER 7 WATER SERVICES

7.1 DEFINITIONS

7.1.1 In this part of the Bylaw unless the context otherwise requires:

“Controlled Stormwater” means stormwater with the characteristics listed in Schedule A to this Chapter. (Controlled Stormwater may only be discharged into the Network with an approval).

“Controlled Wastewater” means wastewater with the characteristics listed in Schedule B to this Chapter. (Controlled Wastewater may only be discharged into the Network with an approval).

“Contaminant” has the same meaning as in the Resource Management Act 1991.

“Culturally Offensive Characteristics” means those human wastes which, if discharged into the sea or other waters, are culturally offensive to Māori.

“Maximum Concentration” means the instantaneous peak concentration that may be discharged at any instant in time.

“Network” means the system of pipes, pumps, drains, treatment works, channels and water courses owned or used by Council for:

- (a) extracting, treating, conveying and supplying water (“Water Supply Network”);
- (b) managing, collecting, treating, conveying and disposing of Stormwater (“Stormwater Network”);
- (c) collecting, treating, conveying and disposing of Wastewater (“Wastewater Network”); and
- (d) collecting, treating, conveying and disposing of Trade Waste separately from Wastewater (Separated Trade Waste Network”);

within Council’s district. The Network does not extend beyond:

- in the case of water supply, the Point of Supply; or
- in the case of Stormwater and Wastewater, the Point of Discharge;

“Network Corridor” has the meaning as in Council’s Engineering Code of Practice.

“Point of Discharge” has the meaning as in Council’s Engineering Code of Practice.

“Point of Supply” has the meaning as in Council’s Engineering Code of Practice.

“Sewage” means human waste and includes septage and swimming pool and spa pool water.

“Stormwater” means surface water resulting from precipitation and any other water which is Controlled Stormwater.

“Tankered Waste” means Sewage or Trade Waste collected by tanker prior to discharge into the Wastewater Network or the Separated Trade Waste Network.

“Trade Waste” means any wastewater generated from activities which are not primarily residential in nature (but may include Sewage).

“Warning Notice” means a written notice given by Council to an Owner or Occupier when Council has reasonable grounds to believe that a condition of an Approval is being breached which specifies:

- the nature of the alleged breach;
- the steps required to be taken to remedy the breach; and
- the period within which the breach must be remedied.

“Wastewater” means Sewage, Tankered Waste and/or Trade Waste.

7.2 CONNECTION AND DISCONNECTION

7.2.1 No person may:

- (a) connect a pipe to any part of the Network; or
- (b) access any part of the Network by any other means; without an approval.

7.2.2 No person may disconnect a pipe from the Network without an approval.

7.2.3 Every person who fails to comply with:

- (a) clause 7.2.1 or clause 7.2.2; or
- (b) any condition of an Approval when undertaking work described in clauses 7.2.1 and 7.2.2;

commits an offence under this Bylaw.

7.2.4 For the purposes of section 163 of the Local Government Act 2002, Council is authorised to remove or alter any work undertaken in breach of clauses 7.2.1, 7.2.2 or 7.2.3(b) and to recover the costs of that removal or alteration from the responsible party.

7.3 NETWORK CORRIDOR

7.3.1 No person may:

- (a) erect any building, fence, retaining wall or other structure;

- (b) place any material or fill;
 - (c) undertake any works or excavation; or
 - (d) allow any tree or shrub to grow
within the Network Corridor without an Approval.
- 7.3.2 When the relevant Network Corridor is an open watercourse, no person may plant any vegetation, or allow any vegetation to grow, within the Network Corridor which may interfere with the free flow of water within the watercourse.
- 7.3.3 A person who fails to comply with:
- (a) clause 7.3.1; or
 - (b) any condition of an Approval when undertaking an activity described in clause 7.3.1; or
 - (c) a notice given by Council to remove vegetation which contravenes clause 7.3.2;
- commits an offence under this Bylaw.
- 7.3.4 For the purposes of section 163 of the Local Government Act 2002, Council is authorised:
- (a) to remove or alter any work undertaken in breach of clauses 7.3.1 (a) (b) and (c); or clause 7.3.3(b);
 - (b) to trim or remove any tree or shrub that contravenes clause 7.3.1(d);and
 - (c) to remove vegetation specified in a notice given under clause 7.3.3(c) which has not been removed within the time specified in the notice;
- and to recover the costs of that removal, alteration or trimming work from the responsible party.

7.4 DAMAGE TO THE NETWORK

- 7.4.1 Every person who causes damage to any part of the Network and who fails to immediately report that damage to Council commits an offence under this Bylaw.

7.5 OFFENCES IN RELATION TO WATER SUPPLY

- 7.5.1 Every person must comply with each and every restriction on the use of water from the Water Supply Network which may be Publicly Notified by Council from time to time.
- 7.5.2 No person may:
- (a) take water from a fire hydrant except:

- (i) in the case of a fire emergency; and
 - (ii) for the purposes of that emergency; and
 - (iii) at the direction of Council or a member of the New Zealand Fire Service or Rural Fire Authority;
 - (b) use the pressure of water directly from the Water Supply Network for driving plant or equipment without an Approval;
- 7.5.3 No person may alter or remove a flow restrictor which has been fitted to the Water Supply Network by Council without an Approval.
- 7.5.4 Any person who fails to comply with
- (a) clauses 7.5.1 – 7.5.3;
 - (b) any condition of an Approval given for work described in clauses 7.5.2 and 7.5.3;
- commits an offence under this Bylaw.

7.6 OFFENCES IN RELATION TO WASTEWATER

- 7.6.1 No person may:
- (a) discharge Controlled Wastewater into the Wastewater Network or the Separated Trade Waste Network without an Approval;
 - (b) discharge Wastewater containing Culturally Offensive Characteristics into the Separated Trade Waste Network;
 - (c) discharge Tankered Waste to the Wastewater Network or the Separated Trade Waste Network without an Approval;
- 7.6.2 Any person who fails to comply with
- (b) clause 7.6.1; or
 - (c) any condition of an Approval for a discharge described in clause 7.6.1(a) or (c);
- commits an offence under this Bylaw.

7.7 OFFENCES IN RELATION TO STORMWATER

- 7.7.1 No person may discharge Controlled Stormwater into the Stormwater Network without an Approval.

7.7.2 Any person who fails to comply with

- (b) clause 7.7.1;
- (c) any condition of an Approval for making a discharge described in clause 7.7.1;

commits an offence under this Bylaw.

7.8 APPROVALS

7.8.1 Without limiting the generality of Clause 1.5.3 of this Bylaw Council may grant an Approval for a discharge of Stormwater or Wastewater to the Network:

- (a) limiting the rate and volume of the discharge (assessed on a daily, weekly or monthly basis);
- (b) limiting the hours in each day during which a discharge may occur;
- (c) subject to the payment of charges for conveyance, treatment and disposal of the discharge by Council (at the rates prescribed by Council from time to time in accordance with the Local Government Act 2002);
- (d) on the condition that the applicant at its own expense:
 - (i) undertake on-site detention, screening or pre-treatment prior to discharge;
 - (ii) maintain equipment installed in clause 7.8.1(d)(i) to ensure correct operation at all times
 - (iii) monitor the discharge and provide the results of that monitoring to Council; or
 - (iv) provide an inspection chamber to enable Council to undertake sampling and monitoring of the discharge at any time and from time to time.

7.8.2 Without limiting the generality of clause 1.5.5 of this Bylaw an Approval may be cancelled by Council by notice in writing if:

- (a) the owner or occupier of the premises to which the Approval relates is convicted of an offence under this Bylaw; or
- (b) Council gives a Warning Notice and the Owner or Occupier of the premises to which the Approval relates fails to take the steps required by Council within the time period specified in the Warning Notice; or

(c) Council has issued a Warning Notice on three (3) occasions in the previous 12 months, notwithstanding that on each occasion the steps required by Council have been taken within the time period specified in the notices.

7.8.3 Written notice of cancellation of an Approval given under clause 7.8.2 shall have immediate effect and any discharge to which that Approval relates must be immediately discontinued.

7.8.4 Any person who fails to discontinue making a discharge immediately upon service of notice of cancellation commits an offence under this Bylaw.

SCHEDULE A TO CHAPTER 7

(Controlled Stormwater)

Stormwater, and any other water which:

- (a) discharges from impervious areas that exceed the square metre per site requirement or such larger area as may be specified in Council's Engineering Code of Practice from time to time;
- (b) discharges exceeding the flow rate as may be specified in Council's Engineering Code of Practice from time to time;
- (c) discharges from premises on which activities are carried out that may result in the production of Stormwater containing Hazardous Substances or Contaminants;
- (d) contains:
 - (i) Hazardous Substances or Contaminants;
 - (ii) grease, oil and scum;
 - (iii) water from ground water systems, bores, water which has been heated or water from geothermal activity;
 - (iv) swimming or spa pool water arising from emptying or backwashing;
 - (v) detritus solids or silt in concentrations that will cause any build-up of sediment within the Network;
 - (vi) any other substance or characteristic which Council is required to manage as a condition of a discharge consent for the Network held by Council under the Resource Management Act 1991 from time to time.

Advisory Note:

The HDC Engineering Code of Practice provides guidance on the assessment of applications to discharge 'Controlled Stormwater' to the Stormwater Network. An Approval may require the applicant to comply with any conditions imposed as part of a resource consent and/or any applicable industry guidelines.

SCHEDULE B TO CHAPTER 7

(Controlled Wastewater)

Wastewater which has any one or more of the following characteristics;

- Flow volume exceeding 10 m³ in any 24 hour period;
- Peak Flow (the highest average flow rate in any 2 hour period during any 24 hour period) exceeding 1 litre per second;
- Temperature exceeding 40 ° Celsius;
- Non-faecal gross solids with a maximum dimension exceeding 15 mm.
- Suspended solids exceeding 2000 grams per m³;
- Settleable solids exceeding 50 milliliters per litre;
- Non-faecal gross solids which cannot be passed through a 2mm maximum gap size screen;
- Non-faecal gross solids with a quiescent settling velocity exceeding 50mm per minute;
- Colour or colouring substances that cause the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the treated wastewaters discharge Consent;
- Fibrous, woven, or sheet film or any other materials which may interfere with the free flow of Wastewater in the Network;
- Floatable oil and grease exceeding 30 milligrams per litre for a grab sample and/or exceeding 15 milligrams per litre for a 24 hour flow proportional sample;
- Total Oil and Grease exceeding 100 grams per m³;
- The presence of a free layer (whether floating or settled) of solvents or organic liquids;
- Emulsions of paint, latex, adhesive rubber or plastic exceeding 1000 grams per m³;
- pH outside the range 6.0 and 10.0 at any time;
- Biochemical oxygen demand exceeding 1000 grams per m³;
- Any solid, liquid or gaseous substances which alone or in combination with any other matter will immediately or in the course of time interfere with the free flow of Wastewater within the Network or damage any part of the Network;

- Any solid, liquid or gaseous substances which alone or in combination with any other matter cause a health and safety risk to sewage workers;
- Any solid, liquid or gaseous substances which alone or in combination with any other matter will cause malodourous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance;
- Solids, including dry solid wastes and materials which combine with water to form a cemented mass;
- Asbestos;
- Tin (as tributyl and other organo-tin compounds);
- Organo-chlorine pesticides;
- Genetically modified organisms wastes (except when discharged into the Wastewater Network in accordance with an approval given under the Hazardous Substances and New Organisms Act 1996);
- Health care waste prohibited for discharge to a Wastewater Network by NZS 4304 2002, or any pathological or histological wastes, and Trade Waste containing cytotoxic substances;
- Trade Waste containing liquid pharmaceuticals in excess of the following limits:

Volume Limit	Active Concentration
10 Litres	125mg / 5 ml
5 Litres	250mg / 5 ml
3 Litres	Above 250mg / 5 ml

- Any substance in concentrations which may cause Council to be in breach of any discharge consent for the Wastewater Network held by Council under the Resource Management Act 1991 from time to time; and
- Any substance exceeding any one or more of the maximum concentrations listed in the following tables 1, 2 and/or 3 below.

Table 1: General Chemical Characteristics

Characteristic	Maximum concentration (g/m ³)
MBAS (Methylene blue active substances)	500
Ammonia (measured as N)	
– free ammonia	50
– ammonium salts	200
Kjeldahl nitrogen	150
Total phosphorus (as P)	50
Sulphate (measured as SO ₄)	500 1500 (with good mixing)
Sulphite (measured as SO ₂)	15
Sulphide – as H ₂ S on acidification	5
Chlorine (measured as Cl ₂)	
– free chlorine	3
– hypochlorite	30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br ₂)	5
Fluoride (as F)	30
Cyanide – weak acid dissociable (as CN)	5


TABLE 2: HEAVY METALS

Metal	Maximum concentration (g/m³)	Metal	Maximum concentration (g/m³)
Antimony	10	Manganese	20
Arsenic	5	Mercury	0.005
Barium	10	Molybdenum	10
Beryllium	0.005	Nickel	10
Cadmium	0.5	Selenium	10
Chromium	4	Silver	2
Cobalt	10	Thallium	10
Copper	10	Tin	20
Lead	10	Zinc	10

TABLE 3: ORGANIC COMPOUNDS AND PESTICIDES

Compound	Maximum concentration (g/m³)
Formaldehyde (as HCHO)	50
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Chlorinated phenols	0.02
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
Organophosphate pesticides	0.1

The Common Seal of the Hastings District Council was affixed on 30 July 2021
in the presence of:

Mayor 



Chief Executive

